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PATENT TRADEMARK OFFICE

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Patent  
Case No.: 56132US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: HAMERLY, MICHAEL E.  
Application No.: 09/771,757 Group Art Unit: 2874  
Filed: January 29, 2001 Examiner: Brian Healy  
Title: OPTICAL SWITCH BASED ON ROTATING VERTICAL  
MICROMIRROR

#11/RCE  
Masha  
3/7/03

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR § 1.313(c)(2)  
TO PERMIT CONSIDERATION OF AN INFORMATION DISCLOSURE STATEMENT  
IN A REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR § 1.114**

Box 313b  
Commissioner for Patents  
Washington, DC 20231

## CERTIFICATE OF TRANSMISSION

To Fax No.: 703-308-6916

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

JANUARY 17 2003

Date

Signed by: Kathleen M. Murray

Dear Sir:

Applicants hereby petition for the withdrawal of this application from issue under 37 CFR § 1.313 (c)(2).

**PATENT ISSUE FEE**

The issue fee for this case was paid on December 19, 2002.

**REASON FOR WITHDRAWAL REQUEST**

The reason for withdrawal from issue of this application is for consideration of an Information Disclosure Statement in a Request for Continued Examination.

**FILING OF REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 CFR § 1.114**

A Request for Continued Examination under 37 CFR § 1.114 is being submitted via facsimile with this petition. The RCE Transmittal paper and Information Disclosure Statement are attached.

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Please charge the petition fee provided in 37 CFR § 1.17(h), and if necessary, charge any additional fees, or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

JANUARY 17 2003

Date

Respectfully submitted,

By:

*Scott A. Bardell*  
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Office of Intellectual Property Counsel  
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Facsimile No.: 651-736-3833

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